

HOUSE BILL 6

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R3
HB 47/02 - JUD

2003 Regular Session
3lr0255

(PRE-FILED)

By: **Delegates Boschert and Bronrott**

Requested: September 19, 2002

Introduced and read first time: January 8, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol- or Drug-Related Offenses - Prohibition on Driving (John's Law)**

3 FOR the purpose of prohibiting a person who is arrested for certain alcohol- or
4 drug-related offenses from driving a motor vehicle for a certain period;
5 providing for an assessment of points against an individual and certain
6 penalties for a violation of this Act; and generally relating to a prohibition
7 against driving a motor vehicle for a certain period after an arrest for certain
8 offenses.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 16-402(a)(24) and 27-101(c)(25) and (26)
12 Annotated Code of Maryland
13 (2002 Replacement Volume)

14 BY adding to
15 Article - Transportation
16 Section 21-902.1 and 27-101(c)(26)
17 Annotated Code of Maryland
18 (2002 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Transportation**

22 16-402.

23 (a) After the conviction of an individual for a violation of Title 2, Subtitle 5, §
24 2-209, or § 3-211 of the Criminal Law Article, or of the vehicle laws or regulations of
25 this State or of any local authority, points shall be assessed against the individual as
26 of the date of violation and as follows:

1 (24) Driving while impaired by alcohol or while impaired by a drug,
2 combination of drugs, or combination of one or more drugs and alcohol, OR DRIVING
3 WITHIN 12 HOURS AFTER ARREST UNDER § 21-902.1 OF THIS ARTICLE.....8 points

4 21-902.1.

5 (A) IN THIS SECTION, "ARRESTEE" MEANS A PERSON WHO HAS BEEN
6 ARRESTED FOR A VIOLATION OF § 21-902 OF THIS SUBTITLE OR TITLE 2, SUBTITLE 5
7 OR § 3-211 OF THE CRIMINAL LAW ARTICLE.

8 (B) AN ARRESTEE MAY NOT DRIVE A MOTOR VEHICLE WITHIN 12 HOURS
9 AFTER THE ARRESTEE'S ARREST FOR A VIOLATION OF § 21-902 OF THIS SUBTITLE OR
10 TITLE 2, SUBTITLE 5 OR § 3-211 OF THE CRIMINAL LAW ARTICLE.

11 27-101.

12 (c) Any person who is convicted of a violation of any of the provisions of the
13 following sections of this article is subject to a fine of not more than \$500 or
14 imprisonment for not more than 2 months or both:

15 (25) Except as provided in subsections (f) and (q) of this section, §
16 21-902(d) ("Driving while impaired by controlled dangerous substance"); [or]

17 (26) § 21-902.1 ("DRIVING WITHIN 12 HOURS AFTER ARREST"); OR

18 [(26)] (27) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock
19 systems").

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect October 1, 2003.